

**Wiley Rein & Fielding LLP**

1776 K STREET NW  
WASHINGTON, DC 20006

PHONE 202.719.7000  
FAX 202.719.7049

---

**Facsimile**

|  |                     |                     |
|--|---------------------|---------------------|
| TO   | FAX NUMBER          | PHONE NUMBER        |
| <b>Examiner Beckerleg<br/>U.S. Patent and Trademark Office</b> | <b>703-746-7024</b> | <b>703-306-9156</b> |
| FROM   | David J. Kulik      | PHONE NUMBER        |
|  |                     | <b>202.719.7313</b> |
| DATE   | May 16, 2002        | PAGES TO FOLLOW     |
|  |                     | <b>1</b>            |
| USER NUMBER  | 5068                | CLIENT NUMBER       |
|  |                     | <b>80375.0033</b>   |

**MESSAGE**

See attached Pending Claims.

Please contact \_\_\_\_\_ if you do not receive this facsimile in its entirety.

**Confidentiality Note:** The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this facsimile message is strictly prohibited. If you have received this message in error, please immediately notify us by telephone and return the original message to us at the address above via the United States Postal Service. *Thank you.*

**DRAFT**

PATENT

Attorney Docket No.: ST94037A-US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Serge CARILLO *et al.*

Appl. No.: 09/405,920

Filed: September 24, 1999

For: METHOD OF CANCER TREATMENT BY  
P53 PROTEIN CONTROL

Art Unit: 1632

Examiner: A. Beckerleg

**BOX AF**

Commissioner for Patents

Washington DC 20231

**PROPOSED AMENDMENT AFTER FINAL**

In response to the Final Office Action dated December 19, 2001, applicants respectfully request reconsideration. The application is in condition for allowance.

**Amendment**

Please rewrite claim 18, as follows:

18. (twice amended) A method for inhibiting the degradation of p53 protein comprising administering to a cell a vector comprising a nucleic acid encoding a protein or polypeptide, wherein the protein or polypeptide is an inhibitor of the activity of calpain, and wherein the encoded protein or polypeptide inhibits the activity of calpain upon its expression in the cell, thereby effecting the level of p53 protein, wherein the vector is selected from the group consisting of an adenoviral vector, a retroviral vector, a plasmid, and an AAV vector.

**DRAFT**